

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

CHIROPRACTORS BUYING GROUP,	)	
INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 10-0647-CV-W-HFS
	)	
DSM SUPPLY, LLC,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff filed a motion for entry of default against defendant DSM Supply, LLC, pursuant to Federal Rule of Civil Procedure 55(a). On January 11, 2011, the court ordered DSM Supply to show cause in writing within 14 days why plaintiff's motion for entry of default should not be granted.

As background, DSM Supply was served in Kansas City, Missouri on June 29, 2010 and later in Dallas, Texas on August 11, 2010. No answer or other appropriate motion was filed. Similarly, defendant's response to the present motion was due by October 1, 2010, but no response was filed. The court then entered the show cause order, which stated that if DSM Supply failed to respond to the order, the court would enter a default in favor of plaintiff and against defendant without further notice. Defendant's response to the show cause order were due by January 25, 2011, but again, no response was filed.<sup>1</sup> Accordingly, it is hereby

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<sup>1</sup>The clerk's office sent copies of the January 11, 2011 show cause order by regular and certified mail, return receipt requested, to defendant at the Kansas City, Missouri address where it was served and the two Dallas, Texas addresses on the documents for service in that state. The Dallas mailings were returned as undeliverable or unclaimed. However, the Kansas City

ORDERED that plaintiff's motion for entry of default against defendant (ECF doc. 10) is GRANTED. As a result, defendant DSM Supply, LLC is hereby declared in default pursuant to Federal Rule of Civil Procedure 55(a). It is further

ORDERED that the clerk of the court shall send a copy of this order by regular and certified mail, return receipt requested, to defendant at the following addresses: (1) DSM Supply, LLC, 6320 Brookside Plaza, #503, Kansas City, Missouri 64113; (2) DSM Supply, LLC, 4901 Cole Ave., Dallas, Texas 75205; and (3) DSM Supply, LLC, 9060 Mercer Place, Dallas, Texas 75228.

/s/ Howard F. Sachs  
HOWARD F. SACHS  
UNITED STATES DISTRICT JUDGE

March 7, 2011

Kansas City, Missouri

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mailings were not returned and the court received a signed return receipt on the certified mailing. Thus, the court is satisfied that defendant received the show cause order and had notice that a failure to respond would result in a default being entered against it.